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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE: ) Case Number C 03-05642 JF  
REDBACK NETWORKS, INC. SECURITIES )  
LITIGATION. ) **STIPULATION AND [PROPOSED]  
ORDER REGARDING BRIEFING  
SCHEDULE AND PAGE LIMITS**  
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This Document Relates to:  
ALL ACTIONS.

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## STIPULATION

WHEREAS, on March 20, 2006, the Court entered an Order dismissing plaintiffs' third amended consolidated complaint and granting plaintiffs leave to amend (the "Order");

WHEREAS, pursuant to the Order, plaintiffs' Fourth Amended Consolidated Complaint for Violation of the Federal Securities Laws (the "Complaint") was filed on May 19, 2006;

WHEREAS, on June 5, 2006 the Court entered an Order pursuant to which defendants' motions to dismiss the Complaint are due to be filed on July 7, 2006, plaintiffs' oppositions to any motions to dismiss the Complaint are due to be filed on August 4, 2006, and defendants' replies in further support of their motions to dismiss the Complaint are due to be filed on August 25, 2006;

WHEREAS, this Court approved the stipulation between Plaintiffs and defendants Kevin DeNuccio, Pierre Lamond, Thomas Cronan, Vinod Khosla, Dennis Wolf, Vivek Ragavan, Dennis Barsema, Gaurav Garg, William Kurtz, Craig Gentner, Promod Haque and Randall Kruep (collectively, the “Redback Defendants”) allowing:

- a. The Redback Defendants to file a Joint Memorandum of Law in Support of their Motion to Dismiss on July 10, 2006 not to exceed 35 pages;
- b. Plaintiffs to file an opposition to the Redback Defendants' joint motion to dismiss the Complaint on August 7, 2006 exceeding the twenty-five page limit imposed by Civil Local Rule 7-3(a), but not exceeding a total of thirty-five (35) pages, exclusive of caption page, table of contents, table of authorities, declarations and exhibits, and allowing plaintiffs to file one omnibus brief in opposition to all motions to dismiss, and such opposition shall be no more than the combined total of the pages (exclusive of caption page, tables of contents and authorities, declarations and exhibits) of all defendants' motions to dismiss; and
- c. The Redback Defendants until August 25, 2006 to file a Reply in Further Support of the Motion to Dismiss not to exceed twenty (20) pages (exclusive of caption page, tables of contents and authorities, declarations and exhibits).

WHEREAS, this Court entered an order approving the parties stipulation on July 6, 2006;

1           WHEREAS, Defendant PricewaterhouseCoopers, LLC ("PwC") filed a Motion to  
2 Dismiss on July 7, 2006 consisting of four (4) pages, exclusive of caption page, table of contents,  
3 table of authorities, declarations and exhibits;

4           WHEREAS, PwC has no objection to Plaintiffs' request to file an omnibus response to  
5 all motions to dismiss of thirty-nine (39) pages, exclusive of caption page, table of contents, table  
6 of authorities, declarations and exhibits, on August 7, 2006; and

7           WHEREAS, the parties do not desire to change the scheduled hearing date.

8           IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,  
9 subject to approval of the Court, that:

10          1.       Plaintiffs shall have until and including August 7, 2006 to serve and file an  
11 omnibus memorandum of law in support of their opposition to defendants' motions to dismiss.

12          2.       PwC shall have until and including August 25, 2006 to serve and file any replies  
13 in support of its motions to dismiss.

14          3.       The case management conference and the hearing on defendants' motion to  
15 dismiss shall remain set for September 15, 2006 at 9:00 a.m.

16          4.       Plaintiffs' omnibus memorandum of law in opposition to the Redback  
17 Defendants' joint motion to dismiss the Complaint and PWC's motion to dismiss the Complaint  
18 may exceed the twenty-five page limit imposed by Civil Local Rule 7-3(a), but may not exceed a  
19 total of thirty-nine (39) pages, exclusive of caption page, table of contents, table of authorities,  
20 declarations and exhibits.

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22 Dated: July 20, 2006

GRANT & EISENHOFER P.A.

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By: /s/ Stuart M. Grant

Stuart M. Grant

John C. Kairis

Kimberly L. Wierzel

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Attorneys for Lead Plaintiff

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1  
2 Dated: July 20, 2006

CRAVATH, SWAINE & MOORE LLP

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4 By: /s/ Rowan D. Wilson  
Rowan D. Wilson  
Thomas G. Rafferty

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6 Attorneys for Defendant  
PricewaterhouseCoopers LLP

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## **[PROPOSED] ORDER**

Upon stipulation of the parties, and good cause appearing:

3           1. Plaintiffs shall have until and including August 7, 2006 to serve and file an  
4 omnibus memorandum of law in support of their opposition to defendants' motions to dismiss.

5           2. PwC shall have until and including August 25, 2006 to serve and file any replies  
6 in support of its motions to dismiss.

7       3. The case management conference and the hearing on defendants' motion to  
8 dismiss shall remain set for September 15, 2006 at 9:00 a.m.

9       4. Plaintiffs' omnibus memorandum of law in opposition to the Redback  
10 Defendants' joint motion to dismiss the Complaint and PWC's motion to dismiss the Complaint  
11 may exceed the twenty-five page limit imposed by Civil Local Rule 7-3(a), but may not exceed a  
12 total of thirty-nine (39) pages, exclusive of caption page, table of contents, table of authorities,  
13 declarations and exhibits.

IT IS SO ORDERED.

15 | Page Date: 7/24/06

  
THE HONORABLE JEREMY FOGEL  
United States District Judge

1 I, Stuart M. Grant, am the ECF User whose identification and password are being used to  
2 file this Stipulation and [Proposed] Order Regarding Page Limits. In compliance with General  
3 Order 45.X.B, I hereby attest that Rowan D. Wilson has concurred in this filing.

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5 Dated: July 20, 2006

GRANT & EISENHOFER P.A.

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By: /s/ Stuart M. Grant

Stuart M. Grant

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Attorney for Lead Plaintiff

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